

AMENDED IN SENATE JUNE 15, 2006

AMENDED IN ASSEMBLY MAY 9, 2006

AMENDED IN ASSEMBLY APRIL 3, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2753**

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**Introduced by Assembly Member De La Torre**

February 24, 2006

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An act to add Section 36503.5 to the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 2753, as amended, De La Torre. Local government: cities: recall of governing officers ~~and employees~~.

Existing law specifies the terms of office for the governing officers and employees of cities, including the election and removal, term, and compensation.

This bill would specify that ~~upon the~~ *during the period between the commencement of a recall election of an elected governing officer or employee, but before the election results have been certified, the elected governing officer* *elective officer of a city and the certification of the election results, or if the recall prevails, upon the qualification of a successor; the elective officer* sought to be recalled shall not expend, or participate in any action that would commit to expend, city funds.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 36503.5 is added to the Government  
2     Code, to read:  
3     36503.5. Notwithstanding any other provision of law, *during*  
4     *the period* commencing the day of a recall election pursuant to  
5     Division 11 (commencing with Section 11000) of the Elections  
6     Code, of an ~~elected governing officer or employee, as defined in~~  
7     ~~Section 36501, but before the election results have been certified~~  
8     *elective officer of a city, and ending upon certification of the*  
9     *election results* pursuant to Division 15 (commencing with  
10    Section 15000) of the Elections Code, ~~the elected governing~~  
11    ~~officer~~ *or, if the recall prevails, upon qualification of the*  
12    *successor declared elected pursuant to Section 11385 of the*  
13    *Elections Code, an elective officer* sought to be recalled shall not  
14    expend, or participate in any action that would commit to  
15    expend, city funds.

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